

**WASHINGTON COUNTY
TOWN OF MAY
OFFICIAL TOWN BOARD MINUTES
September 4, 2014**

The Board of Supervisors of the Town of May met at their regular monthly meeting on Thursday, September 4, 2014, at the May Town Hall. Those present included: Bill Voedisch, Board Chair; John Pazlar, Supervisor; John Adams, Supervisor; Cheryl Bennett, Town Treasurer; Dave Snyder, Town Attorney; Mark Erichson, Town Engineer; Pete Kluegel, Building Inspector; Nate Sparks, Town Planner; Linda Klein, Town Clerk and residents of the Town of May. Voedisch called the meeting to order at 7:00.

Minutes, Checks, Treasurer's Report

Voedisch moved, seconded by Adams, to approve the regular minutes of the August 7, 2014, board meeting. All approved.

Pazlar moved, seconded by Voedisch, to approve checks 17849 through 17892 as well as electronic funds transfers EFTS914, EFTF914 to the State and IRS, respectively as presented. All approved. The check register and treasurer's report are attached to these minutes and serve as the official record.

Voedisch moved, seconded by Adams, to sell a gravel CD in the amount of \$ 3,155,25. All approved.

Bennett asked about another gravel CD coming due in September in the amount of \$24,000. She asked about cashing or letting it automatically renew. She also is looking at a blacktopping CD at \$100,000 coming due, and the board advised to renew for another 6 months, as it will be needed in the spring.

Supervisor Pazlar reported that he has reviewed all bank statements from January through August.

Pazlar moved, seconded by Voedisch, to approve the Treasurer's Report as presented. All approved.

Wilder Forest Land Conveyance to Warner Nature Center

The Wilder Foundation has made a request for a Lot Line Adjustment that would split off a large tract of land and convey it to a neighboring property owner, the Warner Nature Center. Both Wilder and Warner own large tracts of land in the Township that are zoned Conservancy, and Wilder land near Terrapin Lake is being conveyed. The Wilder Foundation currently owns 923.81 acres and wishes to convey 327.85 acres to Warner. There are several "Parcels" (PID's) involved and currently multiple deeds. Of the Parcels in question, one Parcel is not being conveyed in its entirety as Wilder wishes to retrain 4.6 acres of that Parcel.

The Parcel being split contains the Morgan May Farm buildings at 14189 Ostlund Trail (PID# 1503120410001). The Wilder Foundation wishes to convey a majority of this property, including the Morgan May buildings, to Warner, with Wilder keeping the southeast 4.6 acre corner of this Parcel containing lands farmed by the Minnesota Food Association.

Town Planner Nate Sparks reviewed the application and discussed if it meets the review criteria

for a Lot Line Adjustment -- no net increase in number of lots, no nonconformities created, no net increase in number of development rights, and no need for a variance. The request meets the review criteria for a Lot Line Adjustment and these conditions are noted in the resolution being presented this evening.

Voedisch indicated that there are a number of deeds involved that define pieces of land that are non-conforming, that is, they have no road frontage. The Town needs to ensure that such land-locked pieces are combined. The northern most parcels should be combined with an existing Warner deed while the remaining pieces need to be combined on a single deed to Warner but need not be combined with an existing Warner deed since it has road frontage on Orwell.

Voedisch moved, seconded by Pazlar, to adopt Resolution 2014-09 with supporting findings of fact approving a lot line adjustment for the Wilder Foundation at 14189 Ostlund Trail, conveying 327.85 acres to the Warner Nature Center with conditions as noted in the resolution, which is attached. Roll call vote: Adams, yes; Voedisch, yes; Pazlar yes, Resolution is adopted.

201 Sewer Update

System Management: The engineering staff asked Tom Birkland with Natural Systems to provide an update on the transition of the system from the County to Natural Systems during the first month of August. Here is his summary:

- The contract has been finalized by the attorney and forwarded to Eco Systems for their signatures. This is the final step so that Natural Systems can formally take over operations of the system. The signed contract will need to be sent to the MPCA in order to change over operations and reporting.
- Earlier in the month, Lift station 2 had one pump drawing 13 amps and the other one 22 amps. Tom met with C&B onsite and pulled the pump and installed a backup pump that they keep in stock. The pump can be repaired and will become the new backup. This should take care of the higher electrical costs.
- Mowing should be performed at the treatment site. The grass is quite long which makes visual inspections difficult for the 8 drainfield zones.
- There was some corrosion noted in the dosing tank. The bracket holding the float switches should be replaced at some point to ensure proper operations moving forward.
- The telemetry system does not appear to be transferable. They are working with TPC to upgrade the system so that it will be accessible via the internet. NSU should be included in this process to gain the functionality needed. Tom is available to meet onsite to go over what is required.
- Natural Systems will transition over reporting to the MPCA for the system later in the summer.
- Tom can begin site visits in September and will take pump run times and perform calibration of all the pump stations for reporting purposes.

The engineer asked Natural Systems to use the telemetry system as is for a short time and report whether an upgraded system will be necessary. Based on Tom's summary, it appears as though the engineer, TPC, and Natural Systems should meet onsite and discuss the process to upgrade the system. At the July board meeting, the quote from TPC was approved in the amount of \$7,398.

Gopher State One Call: Engineering staff has contacted Pete Ganzel with Washington County and C&B Excavating regarding options to update/re-create as-builts of the 201 system septic locations. Pete Ganzel has declined to do “locates” or consulting services with this project as he believes the consulting work may conflict with his work at the County, time-wise. Voedisch stated that the goal would *not* be to have Pete come out on each “locate” request, but to assist in doing what the transition team asked Pete to do in the first place ... produce an accurate “as built” map of the entire system. With such a map we, or our representative (Natural Systems, C&B etc) can do our own “locates.”

A consulting contract with Pete could be drafted to allow Ganzel to consult on an as-available basis to map the system. With his experience, Ganzel is the ideal person to provide this type of help. C&B had indicated interest in providing a service to locate septic tanks and lift stations but that does not provide an accurate total system map.

Additionally, the engineer has been contacting locating services, including USIC Locating, to determine the level of detail the re-created as-builts will require to be considered for locating service. Ganzel has been forwarding on *all* Gopher State One Calls received to date to Katie. Fortunately, all calls received have been cleared as they are not within the locations of the septic systems. Voedisch believes we need to make a formal request to the County (Johnson and Miron) to have Pete assist in this project.

Engineering and Roads

Monthly Engineering Report

Emison Property: The driveway grade and alignment modifications have been completed, however the property owner is planning to finalize/adjust the elevation slightly. The entire driveway will be paved this fall. The majority of the site has been final graded with topsoil and seeded. The remaining restoration is adjacent to ongoing work and will be completed as soon as the adjacent activities permit. The thistle has been mowed.

Craig Erickson Grading Permit – 15955 May Avenue: The site has been cleared, erosion control placed, graded and seeded.

2014 Crack Fill Project: At the August Board meeting, the 2014 Crack Fill Project was awarded to Astech Corp. Astech has tentatively scheduled a crew to start crack filling the week of September 15th; however the schedule is contingent on the results of the Washington County 2014 Crack Seal project that opens bids September 4, 2014 at 2:00 p.m. The Washington County Crack Seal project includes crack sealing improvements along a number of roads within the Township. Astech will know the results of the County Project by Friday, September 5th and will be in contact with Katie regarding the schedule.

2014 Sign Replacement: At the August meeting, the Town Board approved the sign quote received from the City of Maplewood and the signs have been ordered. The signs are anticipated to be ready for pick up in the next few weeks, as the order for the U-channel posts will take a few weeks.

Morgan Avenue Reclamation Project: After further inquiry into the funding options for the Morgan Avenue Reclamation Project proposed for 2015 construction, the project was re-investigated to determine whether or not aspects of the project could be scaled back to accommodate the projected budget.

The preliminary estimate for the project, including 10% contingency costs to accommodate the preliminary investigation and 28% indirect costs associated with design, bidding and construction, was estimated to be approximately \$275,00 which includes a construction cost (including 10% contingency) of \$214,000. Costs associated with the project include the following improvements:

- Pavement reclamation and bituminous surfacing
- Bituminous curbing
- Aggregate shouldering
- Drainage improvements

Late season bids were 15%-40% higher than engineer's estimates and feasibility estimates in 2014, which may be largely due to the late season start and above average rain events. It is assumed that some increase in bids will carry over into the 2015 construction season. Estimated bid prices for the project have been adjusted to account for the increase in bid pricing.

Below is a summary of previous projects completed in the Township in the last 3 years:

Project Name	Year Completed	Final Construction Cost	Approximate Project Length	Average Cost per Foot
Square Lake Trail Court North and 131st Street North Improvement and Appurtenant Work	2011	\$79,837.95	1360	\$58.70
130th Street Improvements and Appurtenant Work	2013	\$124,248.50	2150	\$57.79

An important difference between the two previous projects completed and the proposed Morgan Avenue improvements is the anticipated drainage improvements at the intersection of Morgan Avenue and 150th Street. Since the estimate is preliminary and a formal investigation of the drainage concerns has not yet been completed, the improvements to the intersection include site grading and the installation of a culvert under 150th Street. The drainage improvements at the intersection account for approximately \$9,000 (including 10% contingency).

The proposed average cost per foot for the surface improvements along Morgan Avenue (which is similar in width to the previous projects) is \$78.85/ft, which equates to a 34% increase from the previous projects. After further review of bid prices and incorporating a smaller indirect cost, a revised engineer's estimate for the improvements of Morgan Avenue amounted to \$198,400 for construction costs (which still includes a 10% contingency) and a total project cost of approximately \$234,000. The total project cost includes a revised indirect cost assumption of 18%, which is consistent with past projects.

Voedisch asked for an explanation of indirect costs. Erichson explained that indirect costs are divided among legal, engineering, administrative, or finance issues. Voedisch asked if 18% is representative of their normal indirect percentage. Erichson stated that it probably should be a little lower than that, perhaps 12 – 15% on a project like this. After additional discussion it was determined that legal, administrative and financing costs are essentially zero, so the entire 18% is for engineering. In Voedisch’s view, this is unacceptable. WSB will review this.

2014 Pothole Repairs: The engineer worked with the road crew and B. F. Lauzon Enterprises to identify pothole repair areas. The following quotes were received from Lauzon:

• Intersection of May Avenue and 126 th Street	\$ 856.00
• Intersection of Lockridge Avenue and 124 th Street	\$ 642.00
• Intersection of Manning Avenue and 124 th Street	\$ 205.00
• Intersection of Manning Avenue and 142 nd Street	\$ 359.00
• May Avenue near the railroad tracks	\$ 136.00
• 130 th Street	\$ 60.00
• Intersection of 122 nd Street and Paris Avenue	\$ 291.00
• Quail Way	\$ 165.00
• <u>Hunter’s Ridge (pavement failure)</u>	<u>\$1,284.00</u>
Total	\$3,968.00

Voedisch moved, seconded by Adams, to contract with Lauzon Enterprises, Inc. in the amount of \$3,968.00. All approved.

Hunter’s Ridge Pavement Failure: The engineer met with Tom Schroeder and Rick Fuhr on-site at 12401 Queens Way within the Hunter’s Ridge addition to identify the cause of the pavement failure adjacent to the property. During the on-site inspection, the following was determined:

- The storm sewer pipe between the catch basin at the pavement failure and the catch basin to the north was approximately 50% full with sand.
- The storm sewer pipe lateral between the catch basin adjacent to 12401 Queens Way and the catch basin to the west did not appear to be failing.
- The catch basin adjacent to 12410 Queens Way (west side of the roadway) has a pipe inlet to the west that could not be found visually. Rick spanned the area where the inlet would approximately be located with a locating device. The locating device detected what is likely the inlet pipe apron trash guard that has been buried over time.
- The storm outlet located at 12401 Queens Way has eroded and washed out over time with a large amount of vegetation growing in and around the outlet structure.

Staff asked Rick to provide three separate quotes to perform the following improvements:

- Quote 1: Excavate around the presumed storm inlet to the west = \$ 1,450
- Quote 2: Remove the bituminous pavement and subgrade as necessary to determine the reason for pavement failure, inspect the storm sewer near the pavement failure, and rebuild the roadway (Lauzon Enterprises has included a quote to install the bituminous patch once the subgrade has been re-established) = \$ 3,275

- Quote 3: Clear and grub around the inlet within 12401 Queens Way and install riprap to avoid erosion and washouts in the future = \$1,450

Voedisch moved, seconded by Adams, to accept the Fuhr proposal for a total of \$6,175 to complete the above work as presented in his proposal of September 1, 2014.

Tree Trimming: Thomas Schroeder with the Town Road Crew had met with a local tree service the week of August 18, 2014 regarding misc. tree trimming and removal throughout the Township. During the onsite meeting, Tom had identified all trees to be removed and trimmed that could not be completed by the Road Crew. The quote from Helke tree service came in at \$16,100 for all the work proposed.

Pazlar suggested that the board drive these roads and assess the danger involved in the noted trees. At this point, no action taken.

Old Business

Floyd Johnson Property

Treasurer Bennett received a phone call from a real estate agent asking about what is owed on the deferred road assessments on this property. The decision is that unpaid interest of \$49,000 must be paid before the property can be sold, but that the principal due can be assumed by any new owner.

New ordinances

2014-01 Allow Non-AG buildings up to 5,000 square feet on parcels over 20 acres

Voedisch brought forward this ordinance that was approved by the PC but failed at the last Board meeting. Voedisch moved, seconded by Adams, to approve the adoption of this ordinance with the setback of 100 feet as in the latest draft. Roll call vote: Adams, yes; Pazlar, no; Voedisch, yes. Ordinance adopted on a 2 to 1 vote.

2014-03 Codifying our Lot Line Adjustment policy

This ordinance codifies the requirements for a LLA. Voedisch moved, seconded by Pazlar, to send this ordinance to the Planning Commission for review at a public hearing in September. All approved.

2014-05 Amendments to Town Code Conservancy Zone

Town Planner Sparks went through the proposed ordinance amending the Town Code regarding uses and standards found in the conservancy district. Voedisch moved, seconded by Pazlar, to send the Conservancy Zone ordinance amendments to the Planning Commission for September and that all entities in the conservancy zone be notified of the meeting. All approved.

2014-07 201 Operation Ordinance

The engineer will work with the planner going forward on this new ordinance. We have the County 201 ordinance as a starting point, which the County will be rescinding by year end. The Town must now have its own 201 ordinance.

2014-08 No Parking Ordinance

Attorney Snyder provided a draft ordinance regarding no parking, which is an administrative procedure and does not need to be sent to the Planning Commission. Voedisch went through the ordinance, item by item, also noting where he is recommending it be placed in the Town Code. Pazlar noted that it is difficult to fully go through this ordinance, having just seen it for the first time this evening. Voedisch apologized for not getting it in the Board's hands earlier.

Voedisch moved, seconded by Adams, to approve Ordinance 2014-08 as presented with modifications as discussed this evening. Roll call vote: Adams, yes; Pazlar, yes; Voedisch, yes. Ordinance is adopted.

The Attorney should send a signed copy to the Sheriff and the Clerk should send a signed copy to Heuer, close neighbor to the trestle.

2014-09 Adopt Current State Building Code

This is tabled for a future time.

Voedisch moved, seconded by Pazlar, to adjourn. All approved.

ATTEST:

Linda L. Klein
Town Clerk

William K. Voedisch
Town Board Chairman

**TOWN OF MAY
WASHINGTON COUNTY, MINNESOTA
RESOLUTION NO. 2014 - 09**

**A RESOLUTION WITH SUPPORTING FINDINGS OF FACT APPROVING A LOT LINE
ADJUSTMENT FOR THE WILDER FOUNDATION AT 14189 OSTLUND TRAIL,
CONVEYING 327.85 ACRES TO THE WARNER NATURE CENTER**

WHEREAS, the Town received a request from the Wilder Foundation (“the Applicant”) to convey significant portions of land from the Wilder Forest to the Warner Nature Center (the “Parties”); and

WHEREAS, Exhibit A attached hereto depicts Wilder lands being conveyed in red, Wilder lands being retained in green and current Warner lands East of Norell in yellow; and

WHEREAS, there are nine parcels (PID’s) being conveyed, depicted on Exhibit A as A, B, C, D, L, K, E, F and part of J, totaling 327.85 acres, all described on seven deeds currently held by Wilder; and

WHEREAS, since the Wilder and Warner properties are adjacent, the Town can make a determination that, so long as the Town’s requirements for a Lot Line Adjustment (LLA) are met, the LLA process can be followed and no formal Subdivision application is needed; and

WHEREAS, the Town has determined that an LLA is applicable for this process if its requirements stated herein are followed, since: 1) there is no net increase in the number of deeded lots; 2) no non-conformities are being created or increased; 3) there is no net increase in the number of development rights; and 4) no variances are needed; and

WHEREAS, the Applicant wishes to split Parcel J so as to convey a 49.5 acre portion of J to Warner shown in red, while retaining the SE 4.6 acre corner of Parcel J, shown in green; and

Warner lands that reach Norell Ave and provide a minimum of 300 feet of road frontage

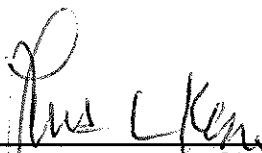
2. The Warner portion of J and all of Parcels K, E, F, L, C and D be combined on a single deed to Warner
3. The retained portion of J and Parcels I and H be combined with Wilder parcel G on a new Wilder deed
4. Easements will be defined as described herein
5. Deeds and easements meeting the requirements of this approval will be submitted by the Parties to the Town Attorney for review and approval well in advance of closing. All costs associated with such review are the responsibility of the Applicant.
6. The Applicant will provide evidence of recording to the Town as soon as it becomes available.
7. Both Parties, immediately upon closing of the conveyance, will apply for an amendment to their respective CUP's held by the Town in order to reflect the new land areas governed by their respective CUP's, and land use changes, if any, that may need to be considered.

Failure to abide by any of these conditions is sufficient basis for the Town to rule this approval null and void.

BY ROLL CALL VOTE OF THE TOWN BOARD: ADAMS YES, PAZLAR YES,
VOEDISCH YES. THIS RESOLUTION IS ADOPTED / NOT ADOPTED BY THE
BOARD OF SUPERVISORS OF THE TOWN OF MAY THIS 4TH DAY OF SEPTEMBER,
2014.

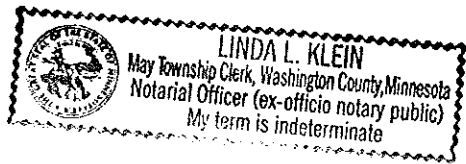


William K. Voedisch, Chairman



Attest: Linda Klein, Clerk

Attached:
Exhibit A - Wilder – Warner Property Analysis



Town of May



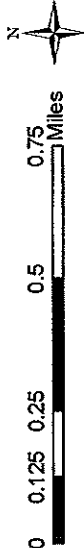
Warner - Wilder
Property Analysis

- Current Warner Parcels
- Remaining Wilder Parcels (595.96 Ac.)
- Wilder Parcels Transferred to Warner (327.85 Ac.)

- Parcel Being Subdivided
- Morgan May Farm Buildings
- Proposed utility easement
- Proposed Ingress & Egress Easement

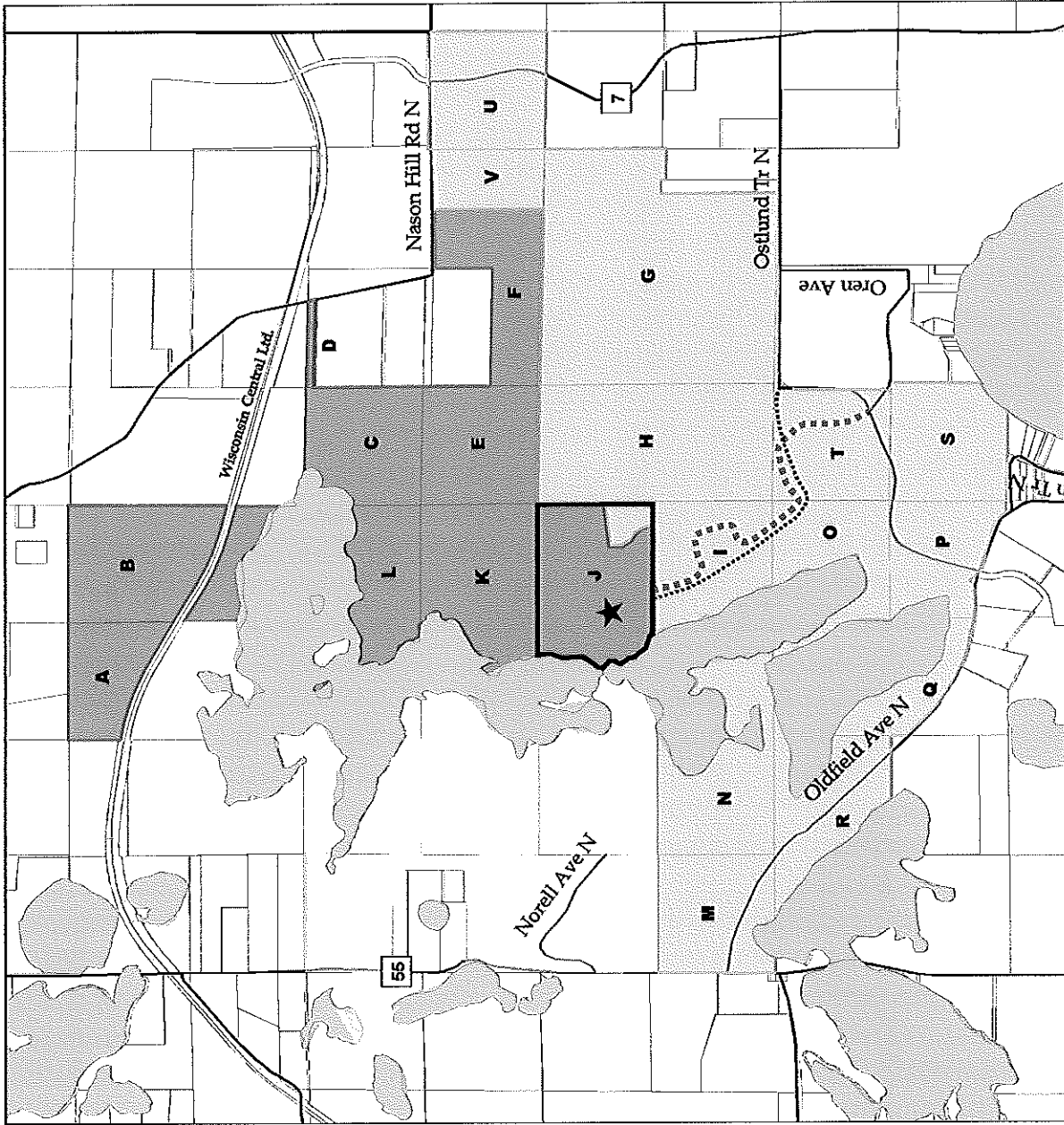
- Water
- Railway
- Parcels

NOTE: I & J are separate tax parcels but one deeded parcel (as are O & P)



This map is for planning purposes only.
Source: Washington County Metropolitan Council, & MN DNR.
September 2014

NAC NORTHWEST ASSOCIATED CONSULTANTS, INC.
1850 Oak Mountain Highway, Suite 200, Golden, WA 98540
Telephone: 703.207.2000 | Fax: 703.207.2001 | www.nacconsulting.com



**TOWN OF MAY
WASHINGTON COUNTY,
MINNESOTA**

ORDINANCE NO. 2014-08

**AN ORDINANCE REGULATING THE PARKING OF VEHICLES AND OTHER
OBJECTS ON THE ROADS IN THE TOWN OF MAY**

Section 1.

WHEREAS, the Town of May believes that the parking of vehicles and other items on public roads or within public rights-of-way, can compromise public safety, interfere with road maintenance, and disrupt the quietude of neighborhoods, and should be controlled; and

WHEREAS, the Town has marked several "No Parking" areas within the Town with signage, as listed in Exhibit A attached hereto; and

WHEREAS, the Town understands that, to make such "No Parking" designations enforceable, it needs to establish these areas by ordinance; and

WHEREAS, the Town also wishes to establish General Parking Prohibitions by ordinance; and

WHEREAS, the parking of items such as trailers, ^{school buses} RVs, boats, equipment ^{and} the like within the Town's rights-of-way has become problematic at times and thus, the Town also wishes to establish a prohibition against the parking of such items by ordinance.

Section 2.

NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN that ARTICLE 1104 governing parking be added to the may Town Code, as follows:

ARTICLE 1104: PARKING CONTROL

Section 1104.01: Presumption

As to any vehicle parked in violation of this ordinance when the driver thereof is not present, it shall be presumed that the owner parked the same, or that the driver was acting as the agent of the owner.

Section 1104.02: General Parking Prohibitions

It is unlawful for any person to stop or park a vehicle except when necessary to avoid conflict with other traffic or in compliance with the specific directions of a police officer or traffic control device, in any of the following places:

1. on a sidewalk;
2. in front of any driveway;
3. within an intersection;
4. within thirty (30) feet of any No Parking sign erected by the Township, or between any No parking signs erected by the Town;
5. on a crosswalk;
6. within twenty feet of a crosswalk at any intersection;
7. on the roadway side of any vehicle stopped or parked at the edge or curb of a road.

Section 1104.04: Specific Parking Prohibition Designations; "No Parking Zones"

It shall be unlawful to, at any time, park a vehicle or any item described in Section 1104.11 herein, in any of the No Parking Zones defined in Exhibit A herein. The Town Board may, from time to time, modify Exhibit A.

Section 1104.05: Unauthorized Removal of Signs

It is unlawful for any person to move or damage any no parking sign.

Section 1104.06: Direction to Proceed

It is unlawful for any person to stop or park a vehicle on a street when directed or ordered to proceed by any police officer invested by law with authority to direct, control or regulate traffic.

Section 1104.07: Parallel Parking

Except where angle parking is specifically allowed and indicated by curb marking or signposting, or both, each vehicle stopped or parked upon a two-way road where there is an adjacent curb shall be stopped or parked with the right-hand wheels of the vehicle parallel with, and within 12 inches of, the right-hand curb, and where there is no curb, as far to the right as possible; and it is unlawful to park in violation of this section.

Section 1104.08: Impounding and Removing Vehicles

When any Sheriff's Deputy finds a vehicle upon a street in violation of any parking regulation, such officer is hereby authorized to require the driver or other person in charge of such vehicle to remove the same to a position in compliance with this Ordinance. When any police officer finds a vehicle unattended upon any street or municipally-owned parking lot in violation of any parking regulation, such officer is hereby authorized to impound such unlawfully parked vehicle and to provide for the removal thereof, and to remove the same to a convenient garage or other facility or place of safety; provided, that if any charge shall be placed against such vehicle for cost of removal or storage, or both, by anyone called upon to assist there-with, the same shall be paid prior to removal from such place of storage or safekeeping.

Section 1104.09: Narrow Street Parking

It is unlawful to stop, park or leave standing, any motor vehicle or trailer across from another motor vehicle or trailer so parked on any narrow street in the Town, such that would hinder the flow of traffic.

Section 1104.10: Handicap Parking

Statutory parking privileges for physically handicapped shall be strictly observed and enforced.

Section 1104.11: Parking of items other than vehicles

Except as may be needed on a temporary basis only, to conduct and complete short-term work upon a property within the Town, it shall be unlawful to park any trailer, RV, boat or other equipment on any road or road right-of-way within the Town.

Section 1104.12: Road Defined

A road is defined as any street, road, avenue, alley or other public way.

Section 3. Severability. Every section, provision, or part of this ordinance is declared separable from every section, provision or part of this ordinance. If any section, provision, or part of this ordinance is adjudged to be invalid by a court of competent jurisdiction, such judgment shall not invalidate any other section, provision, or part of this ordinance.

Section 4. Effective Date. This Ordinance will be in full force and effect from and after its passage by the Town Board and publication according to law.

BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS YES; PAZLAR YES; VOEDISCH YES; THIS ORDINANCE IS HEREBY ADOPTED / NOT ADOPTED THIS 4TH DAY OF SEPTEMBER, 2014.

Linda Klein
Attest: Linda Klein, Town Clerk

Bill Voedisch
Board Chair, Bill Voedisch

Section 1104.13 Violations
A violation of this ordinance shall be considered a petty misdemeanor.

Exhibit A

May Township Specific Parking Prohibition Designations; "No Parking Zones"

Arcola Trail - Both sides of the roadway from the RR trestle north to the driveway for 12191 Arcola Trail, approximately 1300 feet from the trestle

120th Street - East of Norell, both sides of the roadway, beginning at Norell and east past the east boundary of the wetland, approximately 1,100 feet from Norell.

120th Street - West of Norell, both sides of the roadway, beginning at Norell and west to Meyeron Road

176th Street - West of Manning, both sides of the roadway, beginning at Manning and west to the driveway for 10855 176th Street, approximately 260 feet from Manning

TOWN of MAY
WASHINGTON COUNTY, MINNESOTA

Ordinance No. 2014-01

AN ORDINANCE AMENDING THE TOWN CODE SECTION 705.05 “ACCESSORY BUILDINGS AND STRUCTURES” TO ALLOW LARGER NON-AGRICULTURAL ACCESSORY BUILDINGS ON PARCELS OVER 20 ACRES.

Section 1.

WHEREAS, the Municipal Code of the Town of May in Section 705.05 limits the size of accessory buildings based on lot size such that only agricultural buildings can be greater than 2,500 sq feet so long as the parcel is greater than 20 acres; and

WHEREAS, from time to time a citizen on a parcel of over 20 acres has desired to have a non-agricultural building, only to be denied based on Section 705.05, and that such performance standard is not subject to Variance; and

WHEREAS, the Town desires to retain the provision allowing agricultural buildings to be of unlimited size on parcels of over 20 acres, so long as they are put to an agricultural use; and

WHEREAS, the Town also now desires to allow non-agricultural buildings greater than 2,500 sq feet on parcels of over 20 acres, but with limitations to minimize neighborhood impacts, as follows:

- The maximum height of a non-agricultural building from 2,501 to 5,000 sq feet in size is 25 feet
- Non-agricultural buildings over 2,500 sq feet shall be no closer than 50 feet from side and rear property boundaries

WHEREAS, the Town also desires to clarify that “agricultural buildings” as used within the Code are buildings that are put to an agricultural use once constructed.

Section 2.

NOW THEREFORE THE MAY TOWN BOARD DOES ORDAIN the following changes to Section 705.05 of the May Town Code.

In 705.05 C.1 the last line of the lot size to square footage table that reads:

20.01 or more acres	Unlimited*	30 feet*
is changed to		
20.01 or more acres, non-agricultural buildings*	5,000 sq. ft.	25 feet
20.01 or more acres, agricultural buildings**	Unlimited	30 feet

In 705.05 C.1, the paragraph after the lot size to square footage table that reads:

“*Provided they are agricultural buildings. Buildings that are not agricultural buildings are limited to a total square footage of 2,500 square feet and a height of 21 feet.”

is changed to:

“* On parcels of 20.01 or more acres, any non-agricultural building over 2,500 sq. feet in size must meet a minimum 100 foot setback from side and rear lot lines.

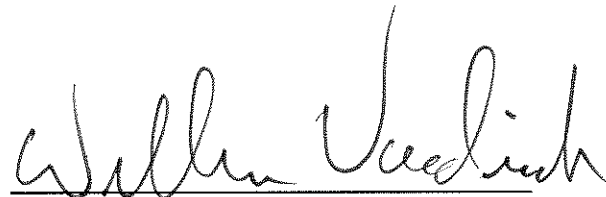
** On parcels of 20.01 acres, agricultural buildings must be put to an agricultural use immediately after construction.

Section 3. Severability. If any part of this Ordinance is held invalid by a court of competent jurisdiction, this shall not invalidate any other section, provisions, or part of this Ordinance.

Section 4. Effective Date. This Ordinance shall be in full force and effect from and after passage by the Town Board and publication according to law.

**BY ROLL CALL VOTE OF THE MAY TOWN BOARD: ADAMS YES ;
PAZLAR NAY ; VOEDISCH YES ; THIS ORDINANCE IS HEREBY
ADOPTED/NOT ADOPTED ON THIS 5th DAY OF JUNE, 2014**

Attest: Town Clerk, Linda Klein



Board Chair, Bill Voedisch

#17849 -
17892
EFTF914
EFTS914

Fund Name: All Funds
Date Range: 09/01/2014 to 09/04/2014

Date	Vendor Name	Description	Check #	Amount	Amount	Account	Amount
09/04/2014	Payroll Period Ending 09/01/2014		17849		\$290.00		
09/04/2014	Payroll Period Ending 09/01/2014		17850		\$1,366.24		
09/04/2014	Payroll Period Ending 09/01/2014		17851	\$2,271.50		100-41400-100	\$2,271.50
09/04/2014	Payroll Period Ending 09/01/2014		17852	\$290.00		100-41110-100	\$290.00
09/04/2014	Payroll Period Ending 09/01/2014		17853	\$2,956.91		201-43102-100	\$2,956.91
09/04/2014	Payroll Period Ending 09/01/2014		17854	\$2,345.54		201-43103-100	\$2,345.54
09/04/2014	Payroll Period Ending 09/01/2014		17855	\$290.00		100-41110-100	\$290.00
09/04/2014	MARVIN L. SCHROEDER	Building rental - August	17856	\$800.00		201-43100-412	\$800.00
09/04/2014	RDO EQUIPMENT CO	Grader repairs	17857	\$2,844.00		201-43126-438	\$2,844.00
09/04/2014	THOMAS SCHROEDER	Insurance - September	17858	\$427.16		201-43103-130	\$427.16
09/04/2014	BLUE CROSS & BLUE SHIELD OF MN	Health insurance - Marvin Schroeder	17859	\$109.00		201-43102-130	\$109.00
09/04/2014	BF LAUZON ENTERPRISES, INC	Asphalt repair - Paragon	17860	\$535.31		201-43121-439	\$535.31
09/04/2014	ENVIROTECH SERVICES, INC	Calcium Chloride	17861	\$58,152.60		201-43123-319	\$58,152.60
09/04/2014	MARONEY'S SANITATION, INC	Garbage pickup - park	17862	\$30.07		220-45202-384	\$30.07
09/04/2014	ON SITE SANITATION	Porta potties for park - 2	17863	\$290.26		220-45202-387	\$290.26
09/04/2014	C & B EXCAVATING/SEWER, INC	Monthly service charge & lift station maintenance	17864	\$535.00		230-49450-300	\$150.00
						230-49451-300	\$385.00
09/04/2014	WASHINGTON CONSERVATION DISTRICT	WCA Permit Admin, Big Marine Park review of mitigation permit	17865	\$94.50		100-46101-302	\$94.50
09/04/2014	PIONEER PRESS	Legal notices - July	17866	\$127.72		100-41001-351	\$127.72
09/04/2014	CENTURY LINK	Town hall phone, 201 Sewer phone	17867	\$73.57		100-41940-380	\$38.32
						230-49489-380	\$35.25
09/04/2014	FEDERATED CO-OPS, INC	Propane - town hall	17868	\$205.14		100-41940-380	\$205.14
09/04/2014	XCEL ENERGY	Town hall electric	17869	\$203.37		100-41940-380	\$203.37
09/04/2014	PETER KLUEGEL	Building inspector	17870	\$1,276.38		100-42400-315	\$1,276.38
09/04/2014	PAUSZEK INC	Assessor	17871	\$1,300.00		100-41950-314	\$1,300.00
09/04/2014	JEANNIE DAVIS	Clean town hall - Aug, Sept	17872	\$90.00		100-41940-110	\$90.00

For the Period 08/01/2014 to 08/31/2014

Name of Fund	Beginning Balance	Total Receipts	Total Disbursed	Ending Balance	Less Deposits In Transit	Plus Outstanding Checks	Total Per Bank Statement
General Fund	\$197,453.53	\$7,764.03	\$14,126.13	\$191,091.43			
Road & Bridge Fund	\$332,634.34	\$6,971.27	\$18,693.08	\$320,912.53			
Fire Fund	\$93,859.69	\$20.05	\$0.00	\$93,879.74			
Levied Park Fund	\$6,513.73	\$1.39	\$353.03	\$6,162.09			
Park Fund	\$6,868.09	\$1.47	\$0.00	\$6,869.56			
201 Sewer Fund	\$5,185.54	\$1,554.14	\$3,632.57	\$3,107.11			
Capital Projects Fund	\$48,600.46	\$10.38	\$0.00	\$48,610.84			
201 Sewer Replacement	\$0.00	\$0.00	\$0.00	\$0.00			
201 Sewer Pumping Fund	\$0.00	\$0.00	\$0.00	\$0.00			
Midcontinent Com Security	\$5,000.00	\$0.00	\$0.00	\$5,000.00			
Vets Rest Camp Security	\$0.00	\$0.00	\$0.00	\$0.00			
Total	\$696,115.38	\$16,322.73	\$36,804.81	\$675,633.30	\$16,322.73	\$37,094.81	\$696,405.38

MONTH OF AUGUST

August 31, 2014

CASH

CHECKING	\$1,000.00
MONEY MARKET	\$669,633.30
TOTAL CASH	\$670,633.30

PLANNING FEES AS OF 9/4/14

HAUGEN - HUSNICK HOMES	\$900.00
KEVIN M JUTZ	\$850.00
JAMES KRIZAK	(\$1,298.75)
TOTAL	\$451.25

ESCROW

CENTURY LINK	\$3,529.61
CONNEXUS ENERGY	\$338.00
FRONTIER UTILITY ESCROW	\$3,056.00
SCIENCE MUSEUM OF MN	\$0.00
WILDER FOUNDATION	\$750.00
XCEL UTILITY ESCROW	\$4,916.29
ROAD ESCROWS	\$2,000.00
PLANNING FEES ESCROW	\$451.25
TOTAL ESCROW	\$15,041.15

TOTAL ESCROW

TOTAL CASH & INVESTMENTS*

\$1,207,568.77

*Some of these funds are restricted for specific uses and are unavailable for general use in the Town.

Letters of Credit: None

TOWN OF MAY

CURRENT CD INVESTMENT SUMMARY

As of 8/31/14

GENERAL

Security Bank - 10/5/14	\$59,683.94
TOTAL GENERAL	\$59,683.94

ROAD & BRIDGE

Blacktopping expires 9/6/14	\$101,577.35
Gravel expires 9/17/14	\$24,553.65
Blacktopping expires 11/30/14	\$59,634.17
Blacktopping expires 7/7/15	\$15,258.19
Road Construction expires 7/7/15	\$22,886.57
TOTAL ROAD & BRIDGE	\$223,909.93

PARK

Security Bank - 10/5/14	\$20,423.83
TOTAL PARK	\$20,423.83

CAPITAL

Security Bank - 1/31/15	\$62,020.46
TOTAL CAPITAL	\$62,020.46

201 SEWER REPLACEMENT

Security Bank - 10/8/14	\$92,526.60
Security Bank - 11/30/14	\$66,715.74
TOTAL 201 REPLACEMENT	\$159,242.34

201 SEWER PUMPING FUND

Security Bank - 10/8/14	\$6,654.97
TOTAL 201 REPLACEMENT	\$6,654.97

Total CDs	\$531,935.47
TOTAL INVESTMENTS	\$531,935.47

**COMMITTED AND UNCOMMITTED DOLLARS BY FUND
LEVIED FUNDS ONLY**

As of 8/31/14

GENERAL FUND

MONEY MARKET	\$191,091.43
INVESTMENTS	\$59,683.94
COMMITTED	
ROAD ESCROWS	\$2,000.00
ESCROWS	\$15,041.15
CONTINGENCY	\$50,000.00
CASH FLOW	\$70,682.00
COMMITTED TOTAL	\$137,723.15
UNCOMMITTED	\$113,052.22

ROAD & BRIDGE FUND

MONEY MARKET	\$320,912.53
INVESTMENTS	\$223,909.93
COMMITTED	
GRAVEL TAX (MAY AVE.)	\$24,553.65
CAPITAL PROJECTS:	
ROAD CONSTRUCTION	\$0.00
INVESTMENTS	\$22,886.57
BLACKTOPPING	\$2,381.00
INVESTMENTS	\$176,469.71
LYNCH ROAD	\$67,000.00
CALCIUM CHLORIDE	\$15,107.20
SEALCOATING/CRACK SEALING	\$51,493.50
LYNCH ROAD	\$25,000.00
COMMITTED TOTAL	\$384,891.63
UNCOMMITTED	\$159,930.83

FIRE FUND

MONEY MARKET	\$93,879.74
COMMITTED TOTAL	\$93,879.74

LEVIED PARK FUND

MONEY MARKET	\$6,162.09
COMMITTED TOTAL	\$6,162.09

CAPITAL FUND

MONEY MARKET	\$48,610.84
INVESTMENTS	\$62,020.46
COMMITTED	
HEAVY EQUIPMENT	\$110,631.30
COMMITTED TOTAL	\$110,631.30

Total Money Market	\$660,656.63
Total Investments	\$345,614.33
	<u>\$1,006,270.96</u>
Total Committed	\$733,287.91
Total Uncommitted	\$272,983.05
	<u>\$1,006,270.96</u>